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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,095	07/30/2001	Tae-Sung Jung	678-719 (P9916)	2613

7590 02/23/2006

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EXAMINER

PHAN, TRI H

ART UNIT	PAPER NUMBER
2661	

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,095

Applicant(s)

JUNG, TAE-SUNG

Examiner

Tri H. Phan

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-7 and 9-11 is/are allowed.
- 6) ☐ Claim(s) 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment/Arguments

1. This Office Action is in response to the Response/Amendment filed on January 19th, 2006. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. Claims 1-11 are now pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by **Shabeer, Mohammed** (U.S.2003/0021275; hereinafter refer as '**Shabeer**').

- In regard to claim 8, **Shabeer** discloses, *a method for exchanging data packets between a mobile node and a foreign agent while maintaining security therebetween, in a communication system including the mobile node ('mobile node or MN 6' in figures 1-2) having a unique mobile*

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IP address, the foreign agent wirelessly connected to the mobile node, the foreign agent ('FA 8' in figures 1-2) having a unique IP address, a home agent capable of performing bi-directional wire communication with the foreign agent, the home agent ('HA 7' in figures 1-2) having mapped information of the mobile IP address of the mobile node and the IP address of the foreign agent, and a correspondent node ('CH 9' in figures 1-2) capable of performing bi-directional wire communication with the home agent, the method comprising the steps of decapsulating in the foreign agent a data packet ('datagram') received from the correspondent node and transmitting the decapsulated data packet to the mobile node, when the correspondent node transmits a data packet encapsulated with a tunneling IP header for forward tunneling to the foreign agent using the IP address of the foreign agent (for example see figures 2, 7, with step F; page 2; paras [0018-0020]; page 2, para [0022], lines 10-13; wherein the encapsulation/decapsulation and tunneling are disclosed in page 2, para [0013], lines 10-12; para [0014], lines 1-9) and upon receipt of a packet data for communication with the correspondent node from the mobile node through a radio channel, encapsulating in the foreign agent the received data packet with a tunneling IP header for reverse tunneling, and transmitting the encapsulated data packet to the correspondent node (for example see page 2; para [0013], lines 18-24; wherein the encapsulation/decapsulation and tunneling are disclosed in page 2, para [0014], lines 1-9).

Response to Amendment/Arguments

4. Applicant's arguments filed on January 19th, 2006 with respect to claim 8 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

5. Claims 1-7 and 9-11 are allowed with allowable subject matter disclosed in previous Office actions.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Khalil et al. (U.S.6,578,085), **Lee et al.** (U.S.6,915,325) and **Karagiannis, Georgios et al.** (U.S.6,925,075) are all cited to show systems and methods for improving the route optimization in the wireless Internet Protocol network of the telecommunication architectures, which are considered pertinent to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan, whose telephone number is (571) 272-3074. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on (571) 272-3126.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

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(571) 273-8300


Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office, whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tri H. Phan
February 16, 2006



CHAU NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600